

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

In Re: New York City Policing
During Summer 2020 Demonstrations

20 Civ. 8924 (CM)(GWG)

JOINT MOTION TO DISMISS
WITH PREJUDICE AND
RETAIN JURISDICTION

This filing is related to:

Payne v. de Blasio, 20 Civ. 8924;

People of the State of New York v.
City of New York, No. 21-cv-322;

Gray, et al v. City of New York, et al,
No. 21-cv-06610;

Rolon, et al v. City of New York, et al,
No. 21-cv-2548.

Plaintiffs in *Payne v. de Blasio*, 20 Civ. 8924; *People of the State of New York v. City of New York*, No. 21-cv-322; *Gray, et al v. City of New York, et al*, No. 21-cv-06610; and *Rolon, et al v. City of New York, et al*, No. 21-cv-2548 (the “Injunctive Relief Plaintiffs”), Defendant City of New York, and Union Intervenors Sergeants Benevolent Association and Detectives’ Endowment Association (collectively, the “Parties”), having entered into a Settlement Agreement to resolve their claims for injunctive relief, jointly move this Court for entry of an Order conditionally dismissing the remaining injunctive claims in these consolidated cases, with prejudice, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, incorporating the terms of the attached Stipulated Order Pursuant to Fed. R. Civ. P. 41(a)(2)

(Exhibit A), and retaining jurisdiction to enforce the Settlement Agreement in accordance with its terms for the duration of the Agreement.

Plaintiffs in cases *Payne v. de Blasio*, 20 Civ. 8924; *Gray, et al v. City of New York, et al*, No. 21-cv-06610; and *Rolon, et al v. City of New York*, et al, No. 21-cv-2548 will separately file stipulations pursuant to Rule 41(a)(2) to dismiss the remaining damage claims in those cases.

For the reasons set forth in the attached memorandum of law, the Parties respectfully request that the Court grant this requested relief.

Dated: September 5, 2023

Respectfully submitted,

LETITIA JAMES
Attorney General of the State of New York

By: /s/ Lois Saldana
Travis England, *Deputy Chief*
Lois T. Saldana, *Assistant Attorney General*
Office of the New York State Attorney General,
Civil Rights Bureau
28 Liberty Street, 20th Floor
New York, NY 10005
(212) 416-6233

THE LEGAL AID SOCIETY

By: /s/ Corey Stoughton
Corey Stoughton
Jennvine Wong
Rigodis Appling
Paula Garcia-Salazar
49 Thomas Street
New York, NY 10013
cstoughton@legal-aid.org

NEW YORK CIVIL LIBERTIES UNION
Foundation

By: /s/ Molly K. Biklen
Molly K. Biklen
Daniel R. Lambright

Jessica Perry
Veronica Salama
Robert Hodgson
Perry Grossman
Lisa Laplace
Christopher T. Dunn
125 Broad Street, 19th Floor
New York, NY 10004
mbiklen@nyclu.org

Counsel for Payne plaintiffs

DAVIS WRIGHT TREMAINE LLP
By: /s/ Robert D. Balin
Robert D. Balin
Abigail Everdell
Kathleen Farley
Nimra H. Azmi
1251 Avenue of the Americas, 21st Floor
New York, New York 10020
Phone: (212) 489-8230
Fax: (212) 489-8340
robbalin@dwt.com

Wylie Stecklow
WYLIE STECKLOW PLLC
Carnegie Hill Tower 152 W. 57th Street, 8th Floor
NY NY10019
(t) 212 566 8000
ecf@WylieLAW.com

Mickey H. Osterreicher
General Counsel
NATIONAL PRESS PHOTOGRAPHERS ASSOCIATION
70 Niagara Street
Buffalo, New York 14202
Tel: (716) 983-7800
Fax: (716) 608-1509
lawyer@nppa.org

Alicia Calzada (pro hac vice)
ALICIA WAGNER CALZADA, PLLC
Deputy General Counsel National Press Photographers Association
926 Chulie Drive, Suite 16
San Antonio, TX 78216
210-825-1449

Alicia@calzadalegal.com

Attorneys for Gray Plaintiffs

The Aboushi Law Firm PLLC

/s/ Tahanie A. Aboushi

Tahanie A. Aboushi, Esq.
Aymen A. Aboushi, Esq.
1441 Broadway, 5th Floor
New York, NY 10018
Tel: (212) 391-8500
Tahanie@Aboushi.com
Aymen@Aboushi.com

COHEN&GREEN P.L.L.C.

By: /s/ Elena L. Cohen

Elena L. Cohen
J. Remy Green
Jessica Massimi
1639 Centre Street, Suite 216
Ridgewood (Queens), NY 11385
t: (929) 888-9480
f: (929) 888-9457
e: elena@femmelaw.com
remy@femmelaw.com
jessica@femmelaw.com

GIDEON ORION OLIVER

/s/ Gideon Orion Oliver

277 Broadway, Suite 1501
New York, NY 10007
t: 718-783-3682
f: 646-349-2914
Gideon@GideonLaw.com

Counsel for Plaintiffs in Rolon, et al. v. City of New York, et al., No. 21-cv-2548

/s/ *Patricia Miller*

Patricia Miller
Division Chief, Special Federal Litigation Division
Genevieve Nelson
Jenny Weng
Omar J. Siddiqi
Counsel for Defendants

PITTA LLP

/s/ *Stephen Mc Quade*

Stephen Mc Quade, Esq.
Attorneys for the Detectives' Endowment Association
120 Broadway, 28th Floor
New York, New York 10271
Telephone: (212) 652-3885
smcquade@pittalaw.com

/s/ *Andrew Quinn*

Andrew C. Quinn, Esq.
The Quinn Law Firm, PLLC
Attorneys for the Sergeants Benevolent Association
399 Knollwood Road, Suite 220
White Plains, New York 10603
Tel: (914) 997-0555
Fax: (914) 997-0550
Aquinn@quinnlawny.com